



Waukesha County
Criminal Justice Collaborating Council
Evidence-Based Decision Making Case Processing Workgroup
Thursday, February 11, 2016

Team Members Present:

District Attorney Sue Oppen
Clerk of Circuit Court Kathy Madden
Judge Ralph Ramirez
Attorney Dan Fay

CJCC Coordinator Rebecca Luczaj
District Court Administrator Michael Neimon
Attorney Katie Bricco
Commissioner Robert Dehring

Also Present:

Windy Jicha

Oppen called the meeting to order at 7:34 a.m.

Approve Minutes from January 28, 2016 Meeting

Motion: Fay moved, Neimon second, to approve the minutes of January 28, 2016. Motion carried unanimously.

Review Data Collected Since Previous Meeting

Madden distributed and reviewed a handout with courts data. The group was curious about the actual number of times cases are scheduled versus the number of trials scheduled. The team was very interested in ways to streamline case processing and recognized the inability of justice partners to communicate effectively on routine cases. Fay stressed that all parties have to get value out of process changes in order for them to be successful and lasting.

Issues/Questions

- Do we need pretrial conferences?
- Are pretrial conferences the best solution?
- Will pretrial conferences increase case processing efficiencies and save costs and resources?
- Is there evidence showing pretrial conferences will help Waukesha County process cases more efficiently?
- Are there any pretrial conference models available?
- What are costs and resources associated with scheduling and rescheduling a case for all justice partners?
- What steps are associated with scheduling and rescheduling a case?
- How much delay is caused by people not having an attorney?
- How can routine cases without a treatment component be handled more quickly and efficiently to free up time to deal with substantive cases?
- What are the actual resources expended on cases disposed of in a relatively short time (90 days)?
- Can cases reach disposition more quickly and efficiently while setting fewer trials and using fewer resources?
- Is the number of days to disposition an adequate measure of case processing efficiency?
- How can communication between justice partners increase?
- How will system changes affect staffing patterns and scheduling?
- Can adult cases be handled in a fashion similar to juvenile court?

- How can we encourage people to meet with the Public Defender's Office more quickly?
- How do we ensure discovery is ready at the time of trial?
- Why are cases rescheduled so many times before going to trial or settling?
- Would it be possible for court commissioners to delay forwarding cases until an attorney was assigned?
- Is any data available on better utilizing court commissioners' time?

Reasons Why Cases Are Set for Trial

- It is the next step
- That's just what we do
- To justify attorneys' fees
- Some attorneys do not want to resolve cases until clients pay them in full

Bricco said the Public Defenders' Office used to have an intake specialist stationed at the courthouse to do out-of-custody intakes. Few people took advantage of the service and the practice was stopped. The Public Defenders' Office is willing to revisit open intake hours on Monday and Tuesday morning at the office but does not think having someone stationed at the courthouse is a good use of resources. Neimon recommended trying again to have an intake specialist stationed at the courthouse and promoting it so court officials make use of the process.

Continue Case Processing Discussion

Project #1: Consider CM, OAR and Retail Theft Case Review

The group discussed having Ramirez, Neimon and a law clerk review all CM, OAR and retail theft cases over a 2-week to 1-month period, and document findings such as age of case, number of adjournments, and reason for delays, etc. Madden will run of query using the same parameters and email it to Fay for review.

Case review deadline: February 25, 2016

Project #2: Consider One to Two Week Onsite Public Defender Pilot Program:

The group will consider allowing the Commissioner in Intake Court to delay initial appearances for one to two hours to allow defendants to see if they qualify for a public defender. During one week of the pilot, a public defender intake specialist will be onsite to meet with defendants and see if they qualify for their services. During the second week, defendants will be given time to visit the Public Defender's Office to see if they qualify for services. Hearings would resume later that day after the meeting. Results from each week in the 2-week pilot would then be compared.

Discuss Development of Strategy to Implement Recommended Change to Current Case Processing Procedure

The workgroup discussed workgroup timelines and available NIC support.

Discuss Next Steps & Set Date for Next Meeting

- February 25, 2016 at 7:30 a.m.

The meeting adjourned at 8:40 a.m.